

of trustees to execute quitclaim deeds to school sites to the Federal Government; providing for the creation of lease contracts upon certain terms whereby the rent money becomes a part of the purchase price of school buildings and school property; providing that the boards of trustees of such school districts, as are provided for herein, are authorized to perform any and every act in anywise suggested or demanded by the Reconstruction Finance Corporation which may be necessary to obtain loans for the above purposes; providing for the final ownership of property by the school board; authorizing the boards of trustees to pledge local funds to pay rent; providing that a certain amount shall be paid each year; providing that the lease shall not extend for a term of more than thirty (30) years; providing that said Act shall be effective in all independent school districts containing not less than four hundred and fifty-five (455) and not more than five hundred and sixty-five (565) scholastics, according to the latest approved census roll on file in the State Department of Education; and, providing that said school districts shall be located in counties containing a population of not less than fifteen thousand six hundred and fifty (15,650) and not more than fifteen thousand seven hundred and twenty (15,720) inhabitants, according to the last Federal Census; repealing all laws or parts of laws in conflict herewith in so far as this Act is concerned and no further, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

"H. B. No. 142, "An Act creating the Special Ninth District Court of Montgomery County, Waller County, Polk County, and San Jacinto County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Ninth Judicial District

Court to said Special Ninth District Court and from said Special Ninth District Court to the Court of the Ninth Judicial District; providing for the appointment of an assistant district attorney to prosecute cases in said court, making an appropriation for his salary; providing for the district clerks of Montgomery County, Waller County, Polk County, and San Jacinto County, and their successors in office, to be the clerks for the said Special Ninth District Court in their respective counties; providing a seal for said Special Ninth District Court; repealing all laws or parts of laws in conflict herewith; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

SIXTEENTH DAY

(Saturday, October 7, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Dunagan.
Adamson.	Dwyer.
Aikin.	Engelhard.
Alexander.	Fain.
Alsup.	Few.
Anderson.	Fisher.
Baker.	Fuchs.
Barrett.	Glass.
Barron.	Golson.
Beck.	Good.
Bourne.	Goodman.
Bradley.	Graves.
Butler.	Griffith.
Calvert.	Hankamer.
Camp.	Harris.
Canon.	Hartzog.
Cathey.	Head.
Caven.	Hester.
Celaya.	Hicks.
Chastain.	Hill of Brazoria.
Clayton.	Hill of Webb.
Colson.	Holekamp.
Cowley.	Holland.
Crossley.	Holloway.
Davidson.	Hoskins.
Dean.	Huddleston.
Devall.	Hughes.
Dunlap.	Hunt.

Hunter.	Ray.
Jackson.	Reader.
James.	Reed of Bowie.
Jefferson.	Renfro.
Jones of Atascosa.	Riddle.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers
Kyle of Hays.	of Ochiltree.
Laird.	Rollins.
Latham.	Ross.
Lemens.	Russell.
Leonard.	Scarborough.
Lindsey.	Scott.
Long.	Shannon.
Mackay.	Shults.
Magee.	Stanfield.
Mathis.	Steward.
McCullough.	Stinson.
McDougald.	Stovall.
McGregor.	Stubbeman.
McKee.	Tarwater.
Merritt.	Tennyson.
Metcalfe.	Thomas.
Mitcham.	Tillery.
Moffett.	Turlington.
Moore.	Van Zandt.
Morrison.	Vaughan.
Morse.	Wagstaff.
Munson.	Walker.
Nicholson.	Weinert.
Parkhouse.	Wells.
Patterson.	Winningham.
Pope.	Wood.
Puryear.	Young.
Ramsey.	

Absent

Bedford.	Duvall.
Burns.	Kyle of Palo Pinto.
Daniel.	Savage.

Absent—Excused

Coombes.	Kayton.
Ford.	Lotief.
Greathouse.	McClain.
Harman.	Palmer.
Harrison.	Pavlica.
Hodges.	Ratliff.
Hyder.	Reed of Dallas.
Johnson	Rogers of Hunt.
of Anderson.	Smith.
Johnson	Sullivant.
of Dimmit.	Townsend.

A quorum was announced present.
Prayer was offered by Rev. Geo.
W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Ford for today, on motion of Mr. Head.

Mr. Hyder for today, on motion of Mr. McCullough.

Mr. McClain for today, on motion of Mr. Russell.

Mr. Ratliff for today, on motion of Mr. Dean.

Mr. Lotief for today, on motion of Mr. Fuchs.

Mr. Greathouse for today, on motion of Mr. Morse.

Mr. Townsend for today, on motion of Mr. Fuchs.

Mr. Rogers of Hunt for today, on motion of Mr. Hoskins.

Mr. Harrison for today, on motion of Mr. Hill of Brazoria.

Mr. Reed of Dallas for today, on motion of Mr. Fain.

Mr. Harman for today, on motion of Mr. Hill of Brazoria.

Mr. Smith for today, on motion of Mr. Golson.

Mr. Hodges for today, on motion of Mr. Canon.

Mr. Johnson of Anderson for today, on motion of Mr. Devall.

Mr. Sullivant for today, on motion of Mr. Wood.

Mr. Coombes for today, on motion of Mr. Scott.

Mr. Palmer for today, on motion of Mr. Colson.

Mr. Pavlica for today, on motion of Mr. Latham.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Anderson:

H. B. No. 198, A bill to be entitled "An Act authorizing any county or district, organized, or which may be hereafter organized, in accordance with the laws of the State of Texas, to purchase for the use or benefit of the people of any such municipality, or the use and benefit of a portion of the area of the municipality served thereby, works, buildings, equipment, together with all the rights, land, and easements appurtenant thereto and necessary therefor, for rendering any type of public service which has heretofore been authorized by the statutes

of this State as a public utility or a public service; authorizing such municipalities to borrow money for the purpose of constructing such works and facilities and purchasing such lands, easements and rights; etc., and declaring an emergency."

Referred to Committee on State Affairs.

BILL ORDERED NOT PRINTED

On motion of Mr. Holland, House Bill No. 194 was ordered not printed.

BILL RE-REFERRED

On motion of Mr. Celaya, House Bill No. 136 was withdrawn from the Committee on State Affairs, and referred to the Committee on Appropriations.

GRANTING PERMISSION TO SUE THE STATE HIGHWAY COMMISSION

Mr. Wells offered the following resolution:

H. C. R. No. 30, Granting J. F. Bentley permission to maintain a suit against the State Highway Commission of Texas.

Whereas, J. F. Bentley, of Navarro County, Texas, claims damages against the State Highway Department of Texas and others for damages to personal property, being the killing of two mules, and damages to his wagon and harness, and personal injuries, which occurred on or about the eighth day of February, 1932, near Richland Creek, in Navarro County, Texas, on State Highway No. 31, said damages alleged to have occurred on account of a truck operated by the State Highway Department, and said J. F. Bentley desires to file suit thereon; and

Whereas, The said Highway Commission and its engineers contend that said suit cannot be filed for said damages against said Highway Commission without the permission of the Legislature of the State of Texas; and

Whereas, Although the Legislature of the State of Texas does not admit that the said plaintiff has a valid or just claim against the State Highway Commission, it is the sense of this Legislature that no citizen of this State, who has a valid or just

claim against the State Highway Commission or the State of Texas, shall be deprived of his opportunity to establish or enforce such claim by reason of any constitutional inhibition; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That said J. F. Bentley is hereby given and granted consent and permission to file said suit, and for the prosecution thereof against the State Highway Commission of the State of Texas, as such Commission, in any court in Navarro County, Texas, having jurisdiction thereof, said suit being based upon damages to his personal property, being the killing of his two mules, and damages to his wagon and harness, and personal damages to himself, and said J. F. Bentley is granted the right to maintain said suit to final judgment in Navarro County, of the State of Texas.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 11, To grant Mrs. C. B. Spooner permission to sue the State.

Whereas, C. B. Spooner et ux., of Orange County, Texas, instituted a certain suit in the District Court of Orange County, Texas, during the October, 1927, term of said Court against the County Judge and Commissioners of Orange County, Texas; and

Whereas, At the May, 1933, term of said Court, it became necessary to make the State Highway Commission, then composed of W. R. Ely, Chairman, and D. K. Martin, member, but now composed of John Woods, Chairman, and W. R. Ely, and D. K. Martin, members, a party to same; and

Whereas, The said suit is entitled C. B. Spooner et ux. vs. Orange County et al., numbered 5863 on the docket of said Court; and

Whereas, The said C. B. Spooner having died and his widow and sole heir having become the sole party plaintiff in the suit; and

Whereas, The purpose of the said C. B. Spooner in filing said suit as aforesaid was, and is, to establish the legal title to certain real property set out and described in the plaintiff's second amended original petition, and for matter of convenience is again set out herein as follows:

"Beginning at a point at the intersection of the projection of the east line of the Mrs. C. B. Spooner Tract, on the south side of Highway No. 3, in the Joseph Richey Survey, and the center line of the present State Highway No. 3, at Station 141 x 00, as shown on plans for construction of F. A. P. 149-A. C.

"Thence with Mrs. C. B. Spooner's east line to a point measured 50 feet at right angles from the center line of Highway No. 3;

"Thence along a line parallel to, and 50 feet from, the center line of Highway No. 3 to an intersection with Mrs. C. B. Spooner's west line.

"Thence with Mrs. C. B. Spooner's west line to an intersection with the center line of Highway No. 3, at Station 157 x 27;

"Thence in an easterly direction along the center line of Highway No. 3 to the place of beginning, and contains 1.86 acres of land."

Said property being located in the Joseph Richey Survey in Orange County, Texas; and

Whereas, It appears that the above-described property was taken and used for the purpose of constructing and maintaining State Highway No. 3, without legal condemnation proceedings, or purchase, and without adequate compensation therefor; and without adequate compensation for damages to the adjoining property owned by the said C. B. Spooner; and

Whereas, A judgment against the State Highway Department for the legal title to the above-described real property will not, without joinder of the State of Texas in said suit, entitle the said C. B. Spooner to recover from the said State Highway Department, or from the State of Texas, adequate compensation in money for the reasonable value of said land at the time of its taking as aforesaid, and the reasonable damages in money for any injury or damage to the adjoining and abutting property owned by the said Spooner, together with interest thereon from date as may be established by said suit until paid; and

Whereas, Article I, Section 17, of the Constitution of the State of Texas, provides that, "No person's property shall be taken, damaged, or destroyed for, or apply to, public use without adequate compensation being made, unless by the consent of such person"; and

Whereas, The said C. B. Spooner and his predecessors in title has at no time consented to the taking of the above-described property with or without compensation; and

Whereas, By the proper proceeding the said State Highway Department, and/or the State of Texas, and/or the County of Orange for the State of Texas, may bring cross action in said suit, and institute condemnation proceedings against the above-described property, and thereby secure a title to same for the purpose for which the said property has been taken and is now being used, or for which it will be used; and

Whereas, If the legal title to such property has not been heretofore divested from the said Mrs. C. B. Spooner and her predecessors in title then the said Mrs. C. B. Spooner is entitled to adequate compensation for said property and for damage to adjoining and abutting property; and

Whereas, All questions pertaining to the legal title to said property, and the reasonable value thereof, and the actual damage to the adjoining or abutting property will be litigated and determined in a court of competent jurisdiction; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the said Mrs. C. B. Spooner be given consent to make the State a party defendant in the above-styled cause for the purpose of recovering a money judgment for the proper and reasonable value of the above-described real property, and all appurtenances thereto, and all damages occurring, and that will occur, to the adjoining and abutting property owned by the said Mrs. C. B. Spooner, should the legal title to said described real estate be finally determined and adjudged to be vested in the said Mrs. C. B. Spooner, and used for the said public purpose by the said Highway Department unlawfully, and without adequate compensation having been made to the said Mrs. C. B. Spooner.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 15, "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges, except for board and clothing, all citizens of Texas who served as nurses or in the armed forces of the United States during the World War or during the Spanish-American War and who were honorably discharged therefrom, and giving said citizens a preferential right to be admitted to the benefits of said institutions, and declaring an emergency."

On motion of Mr. Moore, the House at 9:50 o'clock a. m. took recess to 10:15 o'clock a. m., today.

The House met at 10:15 o'clock a. m., and was called to order by the Speaker.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time

H. C. R. No. 29, Granting Martin Brothers permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,
Austin, Texas, October 7, 1933.
To the Forty-third Legislature in First Called Session:

At the request of Representative Camp, I submit for your consideration

a bill hereto attached, to be entitled "An Act amending Article 2525, 2528, and 2533, Chapter 1, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State depositories and reserve depositories on State funds, in lieu of interest rates now specifically fixed by statute to be paid by such State depositories and reserve depositories; amending Articles 2537 and 2539, Chapter 1, Title 47, Revised Civil Statutes, to conform thereto; repealing Articles 2536, 2540, 2541, 2542, and 2543, Chapter 1, Title 47, Revised Civil Statutes."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

HOUSE BILL NO. 58 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 58, A bill to be entitled "An Act amending Article 5517, Revised Civil Statutes, providing for limitation of ten years on delinquent taxes, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Barron, pending.

(Mr. Van Zandt in the Chair.)

Mr. Moffett moved that further consideration of the bill be postponed until 11 o'clock a. m., next Monday.

The motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 7, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Concurrent Resolution No. 10 by the following vote: Yeas, 24; nays, 0.

The Senate has passed

S. B. No. 27, Relating to appointment of election officials, and declaring an emergency."

S. B. No. 53, A bill to be entitled "An Act making an appropriation for the purpose of providing postage, insurance, stamps, and other expenses necessary in performing the duties required of the State Treasurer in the administration of the provisions of Chapter 13, Acts of Third Called Session of the Forty-second Legislature, during the fiscal years of 1933-34 and 1934-35, to be paid out of interest earned on the daily balances of 'Paying Fund of the Board of County and District Road Indebtedness,' and declaring an emergency."

S. B. No. 78, A bill to be entitled "An Act to amend Articles 1111, 1112, 1113, and 1114, of the Revised Civil Statutes of Texas for 1925, and amendments thereof, as passed by the Fortieth Legislature, and as amended by Chapter 32, Acts of the Third Called Session of the Forty-second Legislature, and as amended by Chapter 122, Acts of the Forty-third Legislature, Regular Session; providing for the character of repairs and extensions necessary to render efficient service which shall be a first lien and charge upon the incomes of the particular utility which is repaired or extended; providing for proper records to be kept of income and expenses; providing a penalty for failure to maintain such records; providing that bonds issued under the provisions of this Act may be approved by the Attorney General and registered by the Comptroller; declaring projects carried out under the terms of this Act to be self-liquidating; repealing laws in conflict herewith; providing that this law shall take precedence over conflicting charter provisions; validating all actions by cities and towns and their officials in authorizing and delivering securities to accomplish the object of this Act, and declaring an emergency."

H. B. No. 51, A bill to be entitled "An Act declaring the public policy of the State with respect to the insurance of deposits in State banks and State bank and trust companies; creating the 'bank deposit insurance company' as a means of carrying out that policy; defining the powers, duties, and privileges of said corporation; etc., providing for an emergency." (With amendments.)

The Senate has adopted

S. C. R. No. 21, Relating to amending of House Bill No. 154, which was passed at the Regular Session of the Forty-third Legislature.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 189 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 189, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than nine thousand six hundred and eighty-four (9,684) nor more than nine thousand seven hundred and eighty-four (9,784) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of nine million dollars (\$9,000,000) for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency."

The bill was read second time.

Mr. Wood offered the following amendment to the bill:

Amend House Bill No. 189 by adding a new Section, to be known as Section 1-a:

"Section 1-a. In every county in this State having a population of not less than nineteen thousand one hundred and fifty-nine (19,159) nor more than nineteen thousand two hundred and fifty-nine (19,259) inhabitants, according to the last preceding United States Census, the compensation of each county commissioner, so long as the taxable value in said county shall exceed the sum of ten million dollars (\$10,000,000), for the next preceding year, shall be fifteen hundred and fifty dollars (\$1,550), to be paid in equal monthly installments out of the funds belonging to said county, as follows: The salary of each county commissioner shall be paid at least seventy-five per cent (75%) out of the road and bridge fund of the county, or, at the discretion of

the commissioners court, out of the road and bridge fund, provided that when said taxable values for the next preceding year shall fall below the said sum of ten million dollars (\$10,000,000), the salary of each county commissioner shall be as provided in Article 2350, of the Revised Civil Statutes, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by the Act of the Fortieth Legislature, page 435, Chapter 490, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by the Act of the Forty-third Legislature, Regular Session, page 727, Chapter 216, Section 1."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Mr. Jones of Atascosa raised a point of order on further consideration of the bill at this time, on the ground that notice of intention to pass the bill was not published in accordance with the provisions governing that of a local bill.

The Speaker overruled the point of order.

House Bill No. 189 was then passed to engrossment.

HOUSE BILL NO. 189 ON THIRD READING

Mr. Wood moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97

Adamson.	Chastain.
Aikin.	Clayton.
Alexander.	Colson.
Alsup.	Cowley.
Anderson.	Crossley.
Baker.	Davidson.
Barron.	Dean.
Bourne.	Devall.
Butler.	Dunagan.
Calvert.	Dwyer.
Camp.	Engelhard.
Canon.	Few.
Caven.	Fisher.

Fuchs.	McGregor.
Glass.	McKee.
Golson.	Metcalf.
Good.	Mitcham.
Goodman.	Moore.
Graves.	Morrison.
Griffith.	Morse.
Hankamer.	Munson.
Harris.	Parkhouse.
Hartzog.	Pope.
Head.	Purvey.
Hester.	Ramsey.
Hicks.	Ray.
Hill of Brazoria.	Reader.
Hill of Webb.	Riddle.
Holekamp.	Roberts.
Holloway.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Scarborough.
Hunt.	Scott.
Jackson.	Shults.
Jefferson.	Stanfield.
Jones of Atascosa.	Stinson.
Jones of Runnels.	Stubbeman.
Jones of Shelby.	Tarwater.
Kyle of Hays.	Tennyson.
Laird.	Thomas.
Latham.	Turlington.
Lemens.	Van Zandt.
Leonard.	Wagstaff.
Lindsey.	Walker.
Long.	Winningham.
Mackay.	Wood.
Magee.	Young.
McCullough.	

Nays—3

Fain.	Vaughan.
Reed of Bowie.	

Present—Not Voting

Hunter.	Tillery.
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Absent

Barrett.	McDougald.
Beck.	Merritt.
Bedford.	Moffett.
Bradley.	Nicholson.
Burns.	Patterson.
Cathey.	Renfro.
Celaya.	Rogers
Daniel.	of Ochiltree.
Dunlap.	Savage.
Duvall.	Shannon.
Holland.	Steward.
James.	Stovall.
Kyle of Palo Pinto.	Weinert.
Mathis.	Wells.

Absent—Excused

Coombes.	Harman.
Ford.	Harrison.
Greathouse.	Hodges.

Hyder.	Palmer.
Johnson	Pavlica.
of Anderson.	Ratliff.
Johnson	Reed of Dallas.
of Dimmit.	Rogers of Hunt.
Kayton.	Smith.
Lotief.	Sullivant.
McClain.	Townsend.

The Speaker then laid House Bill No. 189 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 184 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 184, A bill to be entitled "An Act amending Chapter 12, of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time.

Mr. Fisher offered the following amendment to the bill:

Amend House Bill No. 184 by adding "Young County" to the provisions thereof, and amend the caption to conform.

The amendment was adopted.

House Bill No. 184 was then passed to engrossment.

HOUSE BILL NO. 184 ON THIRD READING

Mr. Scarborough moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Canon.
Aikin.	Cathey.
Alexander.	Caven.
Alsup.	Chastain.
Anderson.	Clayton.
Baker.	Colson.
Barrett.	Crossley.
Barron.	Davidson.
Beck.	Dean.
Bourne.	Devall.
Butler.	Dunagan.
Calvert.	Dwyer.
Camp.	Fain.

Few.	Metcalf.
Fisher.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Munson.
Goodman.	Parkhouse.
Graves.	Puryear.
Griffith.	Ramsey.
Hankamer.	Ray.
Harman.	Reader.
Harris.	Reed of Bowie.
Hartzog.	Riddle.
Head.	Roberts.
Hester.	Rollins.
Hicks.	Ross.
Hill of Brazoria.	Russell.
Holekamp.	Scarborough.
Holloway.	Scott.
Hoskins.	Shannon.
Huddleston.	Shults.
Hughes.	Stanfield.
Hunt.	Stinson.
Jackson.	Stovall.
James.	Stubbeman.
Jefferson.	Tarwater.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kyle of Hays.	Turlington.
Latham.	Vaughan.
Lemens.	Wagstaff.
Lindsey.	Walker.
Long.	Weinert.
Mackay.	Wells.
Magee.	Winningham.
McGregor.	Wood.
McKee.	Young.
Merritt.	

Present—Not Voting

Hunter.	Tillery.
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Absent

Bedford.	Leonard.
Bradley.	Mathis.
Burns.	McCullough.
Celaya.	McDougald.
Cowley.	Morse.
Daniel.	Nicholson.
Dunlap.	Patterson.
Duvall.	Pope.
Engelhard.	Renfro.
Hill of Webb.	Rogers
Holland.	of Ochiltree.
Jones of Atascosa.	Savage.
Kyle of Palo Pinto.	Steward.
Laird.	Van Zandt.

Absent—Excused

Coombes.	Johnson
Ford.	of Anderson.
Greathouse.	Johnson
Harrison.	of Dimmit.
Hodges.	Kayton.
Hyder.	Lotief.

McClain.	Rogers of Hunt.
Palmer.	Smith.
Pavlica.	Sullivant.
Ratliff.	Townsend.
Reed of Dallas.	

The Speaker then laid House Bill No. 184 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100

Adamson.	Kyle of Hays.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Anderson.	Lindsey.
Baker.	Mackay.
Beck.	Magee.
Bourne.	Mathis.
Butler.	McCullough.
Calvert.	McDougald.
Canon.	McGregor.
Cathey.	McKee.
Chastain.	Merritt.
Clayton.	Metcalfe.
Colson.	Mitcham.
Crossley.	Moffett.
Davidson.	Morrison.
Dean.	Munson.
Devall.	Parkhouse.
Dunagan.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ray.
Fain.	Reader.
Few.	Reed of Bowie.
Fisher.	Renfro.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Graves.	Scarborough.
Griffith.	Scott.
Hankamer.	Shannon.
Harris.	Shults.
Hartzog.	Stanfield.
Head.	Stinson.
Hester.	Stubbeman.
Hicks.	Tarwater.
Hill of Brazoria.	Tennyson.
Hill of Webb.	Thomas.
Holekamp.	Tillery.
Holloway.	Turlington.
Hoskins.	Van Zandt.
Huddleston.	Vaughan.
Hughes.	Wagstaff.
Hunt.	Walker.
Jackson.	Wells.
Jefferson.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.

Present—Not Voting
Hunter.

Absent

Barrett.	Kyle of Palo Pinto.
Barron.	Leonard.
Bedford.	Long.
Bradley.	Moore.
Burns.	Morse.
Camp.	Nicholson.
Caven.	Patterson.
Celaya.	Pope.
Cowley.	Rogers
Daniel.	of Ochiltree.
Dunlap.	Savage.
Duvall.	Steward.
Holland.	Stovall.
James.	Weinert.
Jones of Atascosa.	

Absent—Excused

Coombes.	Kayton.
Ford.	Lotief.
Greathouse.	McClain.
Harman.	Palmer.
Harrison.	Pavlica.
Hodges.	Ratliff.
Hyder.	Reed of Dallas.
Johnson	Rogers of Hunt.
of Anderson.	Smith.
Johnson	Sullivant.
of Dimmit.	Townsend.

HOUSE BILL NO. 174 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 174, A bill to be entitled "An Act to amend Subdivision 23, of Article 7047, Chapter 1, Title 122, of the Revised Civil Statutes, State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, Regular Session, page 355, Chapter 212, Section 1, relating to an occupation tax on coin-operated vending machines, marble table machines, and similar devices, within the scope of the subdivision; providing such funds to be placed to the credit of the State Available School Funds, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 174 ON THIRD READING

Mr. Merritt moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 174 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Kyle of Hays.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Anderson.	Lindsey.
Barron.	Mackay.
Beck.	Magee.
Bourne.	Mathis.
Bradley.	McCullough.
Butler.	McDougald.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Metcalfe.
Caven.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Cowley.	Morrison.
Crossley.	Morse.
Davidson.	Munson.
Dean.	Parkhouse.
Devall.	Pope.
Dunagan.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ray.
Fain.	Reader.
Few.	Reed of Bowie.
Fisher.	Roberts.
Fuchs.	Rollins.
Glass.	Ross.
Golson.	Russell.
Good.	Scarborough.
Goodman.	Scott.
Graves.	Shannon.
Griffith.	Shults.
Hankamer.	Stanfield.
Harris.	Stinson.
Hartzog.	Stovall.
Head.	Stubbeman.
Hester.	Tarwater.
Hill of Brazoria.	Tennyson.
Hill of Webb.	Tillery.
Holekamp.	Turlington.
Holloway.	Van Zandt.
Huddleston.	Vaughan.
Hughes.	Wagstaff.
Hunt.	Walker.
Jackson.	Weinert.
James.	Wells.
Jefferson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

Nays—1

Hicks.

Absent

Baker.	Chastain.
Barrett.	Daniel.
Bedford.	Dunlap.
Burns.	Duvall.
Calvert.	Holland.
Celaya.	Hoskins.

Hunter.	Renfro.
Kyle of Palo Pinto.	Riddle.
Leonard.	Rogers
Long.	of Ochiltree.
McGregor.	Savage.
Nicholson.	Steward.
Patterson.	Thomas.

Absent—Excused

Coombes.	Kayton.
Ford.	Lotief.
Greathouse.	McClain.
Harman.	Palmer.
Harrison.	Pavlica.
Hodges.	Ratliff.
Hyder.	Reed of Dallas.
Johnson	Rogers of Hunt.
of Anderson.	Smith.
Johnson	Sullivant.
of Dimmit.	Townsend.

The Speaker then laid House Bill No. 174 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Wagstaff:

H. B. No. 199, A bill to be entitled "An Act to amend Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-third Legislature, Chapter 100, so as to permit the use of natural gas for repressing, and declaring an emergency."

Referred to Committee on Oil, Gas, and Mining.

By Mr. Camp and Mr. Patterson:

H. B. No. 200, A bill to be entitled "An Act amending Articles 2525, 2528, and 2533, Chapter —, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State depositories and reserve depositories on State funds; etc., and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mrs. Hughes and Mr. Metcalfe:

H. B. No. 201, A bill to be entitled "An Act amending Articles 3281 and 3286, of the Revised Civil Statutes of 1925, both of said Articles relating to escheated estates, by providing that all escheated lands shall become a part of the Permanent School Fund of Texas; providing for lease or sale of said lands, and the terms thereof, by the Commissioner of the General Land Office; limiting the time for filing suits for recovery of said escheated property from the State to four (4) years, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Anderson:

H. B. No. 202, A bill to be entitled "An Act to amend Chapter 220, of the General Laws of the Regular Session of the Forty-third Legislature, being an Act providing for the maximum compensation of public officials, by adding thereto another Section, to be known as Section 9-a, prohibiting soliciting of, or from, elective public officials, and declaring an emergency."

Referred to Committee on State Affairs.

SPECIAL ORDER SET

Mr. Mathis moved that House Bill No. 5 be set as a special order for 10 o'clock a. m., next Monday.

Mr. Alsup moved that House Bill No. 5 be set as a special order for 2 o'clock p. m., today.

Mr. Vaughan raised a point of order on further consideration of the motion by Mr. Alsup, on the ground that the printed bill will not have been on the Members' desks 24 hours, by 2 o'clock p. m., today.

The Speaker overruled the point of order.

Question first recurring on the motion by Mr. Alsup, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—42

Alexander.	Devall.
Alsup.	Engelhard.
Bradley.	Fain.
Butler.	Few.
Chastain.	Fisher.
Dean.	Fuchs.

Glass.
Goodman.
Hartzog.
Head.
Hicks.
Hill of Webb.
Hughes.
Jones of Atascosa.
Lemens.
Mackay.
McCullough.
McDougald.
McGregor.
Merritt.
Moore.

Pope.
Purveyar.
Ramsey.
Ray.
Roberts.
Rollins.
Scott.
Shults.
Stinson.
Stovall.
Stubbeman.
Tarwater.
Tennyson.
Van Zandt.
Wells.

Nays—69

Adamson.
Aikin.
Anderson.
Baker.
Barrett.
Beck.
Bourne.
Calvert.
Camp.
Canon.
Cathey.
Caven.
Celaya.
Clayton.
Colson.
Cowley.
Crossley.
Davidson.
Dunlap.
Dunagan.
Dwyer.
Golson.
Good.
Graves.
Hankamer.
Harris.
Hester.
Hill of Brazoria.
Holekamp.
Huddleston.
Hunt.
Hunter.
Jackson.
James.
Jefferson.

Jones of Shelby.
Kyle of Hays.
Laird.
Latham.
Lindsey.
Long.
Magee.
Mathis.
McKee.
Metcalfe.
Mitcham.
Moffett.
Morrison.
Morse.
Munson.
Parkhouse.
Reader.
Reed of Bowie.
Renfro.
Ross.
Russell.
Scarborough.
Shannon.
Stanfield.
Thomas.
Tillery.
Turlington.
Vaughan.
Wagstaff.
Walker.
Weinert.
Winningham.
Wood.
Young.

Present—Not Voting

Mr. Speaker. Hoskins.

Absent

Barron.	Kyle of Palo Pinto.
Bedford.	Leonard.
Burns.	Nicholson.
Daniel.	Patterson.
Duvall.	Riddle.
Griffith.	Rogers
Holland.	of Ochiltree.
Holloway.	Savage.
Jones of Runnels.	Steward.

Absent—Excused

Coombes.	Kayton.
Ford.	Lotief.
Greathouse.	McClain.
Harman.	Palmer.
Harrison.	Pavlica.
Hodges.	Ratliff.
Hyder.	Reed of Dallas.
Johnson	Rogers of Hunt.
of Anderson.	Smith.
Johnson	Sullivant.
of Dimmit.	Townsend.

Question next recurring on the motion by Mr. Mathis, it prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 7, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendment to Senate Concurrent Resolution No. 15 by a viva voce vote.

The Senate has passed

S. B. No. 44, A bill to be entitled "An Act to authorize all banks and bank and trust companies and savings banks, incorporated under the laws of Texas, to purchase, hold, and dispose of stock in the Federal Deposit Insurance Corporation, created by the Act of Congress, known as the Banking Act of 1933, and to comply with all requirements enabling banks and bank and trust companies and savings banks, incorporated under the laws of Texas, to purchase, hold, and dispose of said stock in the Federal Deposit Insurance Corporation, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 27, to the Committee on Privileges, Suffrage and Elections.

Senate Bill No. 53, to the Committee on Appropriations.

Senate Bill No. 78, to the Committee on Municipal and Private Corporations.

Senate Bill No. 44, to the Committee on Banks and Banking.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled resolutions:

S. C. No. 14, Granting Ernest Loyd permission to sue the State.

S. C. R. No. 17, Granting Ralph Bowers permission to sue the State.

S. C. R. No. 16, Providing for the payment of certain funds to the Brownsboro Independent School District.

S. C. R. No. 20, Granting H. J. Hetkes Company permission to sue the State.

S. C. R. No. 10, Granting Frank Tiner permission to sue the State.

ADJOURNMENT

Mr. Kyle of Hays moved that the House adjourn until 10 o'clock a. m., next Monday.

Mr. Renfro moved that the House adjourn until 9:30 o'clock a. m., next Monday.

Mr. Aikin moved that the House recess to 2 o'clock p. m., today.

Mr. Head moved that the House adjourn until 9 o'clock a. m., next Monday.

The motion of Mr. Renfro prevailed, and the House, accordingly, at 12 o'clock m., adjourned until 9:30 o'clock a. m., next Monday, October 9.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: Senate Bill No. 33; House Bills Nos. 153 and 161.

Conservation and Reclamation: Senate Bill No. 32.

Claims and Accounts: House Bills Nos. 176, 154, and 179.

Counties: House Bill No. 189.

Education: House Bills Nos. 178, 173, 126, and 194; Senate Bill No. 35.

Judiciary: House Bill No. 188.

Criminal Jurisprudence: House Bill No. 155; Senate Bill No. 36.

Game and Fisheries: House Bills Nos. 184, 123, and 141; Senate Bill No. 31.

Highways and Motor Traffic: House Bill No. 196.

Labor: House Bill No. 171.

Live Stock and Stock Raising: House Bill No. 80.

Penitentiaries: House Bill No. 113.

Public Lands and Buildings: Senate Bill No. 58; House Bill No. 187.

State Affairs: Senate Bill No. 5; House Bills Nos. 138 and 190; House Concurrent Resolution No. 29; Senate Concurrent Resolution No. 20.

The Committee on Appropriations filed an adverse report, with a minority favorable report, on House Bill No. 134.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 149, A bill to be entitled "An Act to amend House Bill No. 231, Chapter 102, page 225, General Laws, passed at the Regular Session of the Forty-third Legislature, State of Texas, by extending the period within which relief may be granted to debtors coming under the provisions of said Act, and extending the terms and provisions and the relief granted under said Act to and including the first day of January, A. D. 1935; amending Sections 1 and 11 of said Act; fixing a State policy, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, October 7, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 15, "An Act authorizing and directing the governing boards

of the several State-supported institutions of collegiate rank to except and exempt from the payment of all fees, dues, and charges, except for lodging, board, and clothing, all citizens of Texas who have resided in Texas for a period of not less than twelve (12) months prior to the date of registration, and who served as nurses or as members in the armed forces of the United States during the Spanish-American and/or World War, and who were honorably discharged therefrom; giving said citizens a preferential right to be admitted to the benefits of said institutions; providing that the provisions of this Act shall apply to those students herein exempted that have registered and paid fees for the 1933-34 term; authorizing the governing boards of such institutions to refund said fees for 1933-34 term; providing for the issuance, granting, and re-instatement of scholarships exempting certain graduates of the accredited high schools of this State from the payment of entrance and other fees; providing for a refund of fees already paid by those herein exempted who have already paid for the 1933-34 school term, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

SEVENTEENTH DAY

(Monday, October 9, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Canon.
Adamson.	Cathey.
Aikin.	Celaya.
Alexander.	Chastain.
Alsup.	Clayton.
Anderson.	Colson.
Baker.	Coombes.
Barrett.	Cowley.
Barron.	Crossley.
Beck.	Daniel.
Bedford.	Davidson.
Bourne.	Dean.
Bradley.	Devall.
Burns.	Dunlap.
Butler.	Dunagan.
Calvert.	Dwyer.
Camp.	Engelhard.